



**CALIFORNIA
HIGH-SPEED RAIL
AUTHORITY**

DRAFT

**BOARD MEETING MINUTES
April 19, 2012
Sacramento City Hall, City Council Chambers
915 I Street
Sacramento, CA 95814**

The public meeting of the California High-Speed Rail Authority Board was called to order on April 19, 2012 at 10:09 am at Sacramento City Hall, Sacramento, CA.

Members Present: Dan Richard, Chairman
Tom Richards, Vice-Chair
Jim Hartnett
Bob Balgenorth
Thomas Umberg

Members Absent: Michael Rossi
Russell Burns
Lynn Schenk, Vice-Chair

Pledge of allegiance was administered by Vice-Chair Tom Richards.

Minutes prepared in the order items were presented during the meeting.

Agenda Item # 1 – Consideration of a Resolution to Rescind Resolution HSRA# 11-11 Certifying 2010 Bay Area to Central Valley Revised Final Program EIR, Selecting Pacheco Pass Network Alternative, and Making Related Decisions

Public comment was taken for this item only prior to action being taken by the Board. The resolution before the Board is to rescind the resolution HSRA 11-11 revised final program EIR. The motion to adopt resolution HSRA 12-18 was made by Mr. Hartnett. Mr. Balgenorth seconded the motion. The motion passed. (5-0)

Agenda Item # 2 – Staff Presentation on the 2012 Bay Area to Central Valley Partially Revised Final Program Environmental Impact Report (EIR)

A presentation was given by David Freytag outlining the key issues and highlights of the Bay Area to Central Valley final program EIR. Staff recommended approval of the Board to adopt the 2012 Bay Area to Central Valley Partially Revised Final Program Environmental Impact Report (EIR) as outlined in Resolution HSRA 12-17.

Agenda Item # 3 – Public Comment on the 2012 Bay Area to Central Valley Partially Revised Final EIR

Public comment was taken for this item only prior to action being taken by the Board. There were comments on the adversity associated with the EIR and litigation that would take place.

Agenda Item # 4 – Consideration of Partially Revised Final Program EIR and Consideration of a Resolution to Certify the 2012 Bay Area to Central Valley Partially Revised Final Program EIR and Select a Network Alternative, Alignments, and Station Locations for Bay Area to Central Valley Portion of Proposed California HST System

Mr. Fellenz presented the resolution to be voted on by the Board. The three major components of the resolution were emphasized. The first, for the Board to consider all the EIR documentation presented to them in certifying the EIR. Second, the resolution will approve the CEQA findings of fact. Third, adopting the resolution will approve the Statement of Overriding Considerations. The resolution also asks to adopt a mitigation monitoring and reporting program, which is required by CEQA. Resolution HSRA 12-17 also requests that the Board adopt the Pacheco Pass network alternative serving San Francisco via San Jose as recommended in the program EIR document. Language has also been included in the resolution which directs staff how to proceed consistent with the business plan. One amendment was proposed to add the word “solely” into the resolution to read: “The Authority further directs staff that a second tier project level EIR for the San Francisco-San Jose section of the high-speed train system shall be focused **solely** on a blended system approach.” Mr. Hartnett moved to adopt the resolution (HSRA 12-17) with the one word amendment. Vice-Chair Richards seconded. The motion passed unanimously. (5-0)

Public Comment –

An opportunity was made for public comment. There were a great number of people who spoke in support of the project with an emphasis on the SB/DVBE programs, jobs, and long-term benefit. There were also some people who spoke in opposition to the project with a concern over fiscal matters, restricted Amtrak service and Proposition 1A requirements.

Agenda Item # 5 – Approval of Amendment to Regional Consultant Contracts

This item was held over to the next board meeting due to time constraints.

Agenda Item # 6 – Approval of Amendment to PMO Contract

The proposed resolution is a request for approval of an amendment to the existing PMO contract. Vice-Chair Richards moved to adopt the resolution (HSRA 12-25). It was seconded by Mr. Hartnett. Motion passed unanimously. (5-0)

Agenda Item # 7 – Review and Approve the Revised SB/DVBE Program

Ms. Padilla presented information on the revised SB/DVBE program and the public comment which inspired the modifications of the program. Highlights of the revision included to add stronger administrative and enforcement remedy to address non-contract compliance, increased level of accountability, data collection and reporting of contractor efforts, and requirement of actual SB utilization reporting on a monthly basis. There was also clarification given under enacted final rule under 49 CFR part 26 DOT DBE program best practice model, which now calls for and allows and permits set aside for small businesses. Contractor’s supportive services requirements were also imposed and expanded to promote success of small business participation and retention. The resolution HSRA 12-26 was presented for the Board’s approval and authorization to forward it on to the Federal railroad Administration for their final approval and acceptance. The resolution (HSRA 12-26) was moved to be approved with an amendment to include the three percent set aside for DVBE’s by Mr. Umberg. It was seconded by Mr. Hartnett. Motion passed unanimously. (5-0)

Agenda Item # 8 – Review and Approve the Formation of the Business Advisory Council

Ms. Padilla requested the Board’s approval for the expansion of the Small Business Advisory Council to include 25 additional members. The resolution (HSRA 12-27) was moved to be adopted by Mr. Umberg. It was seconded by Vice-Chair Richards. The motion passed unanimously. (5-0)

Agenda Item # 9 – Supplemental Alternatives Analysis Report for Palmdale-Los Angeles

This item was held over to the next board meeting due to time constraints.

Agenda Item # 10 – RFP – Enforcement of Small Business Program

This item was held over to the next board meeting due to time constraints.

Agenda Item # 11 – Update on Title VI Questions Posed at Last Board Meeting

This item was held over to the next board meeting due to time constraints.

Agenda Item # 12 – Presentation on the Merced to Fresno Final Environmental Impact Report/Environmental Impact Statement

This item was held over to the next board meeting due to time constraints.

Agenda Item # 13 – Members' Report

There were no member reports given.

Agenda Item # 14 – Chief Executive Officers' Report

There was no Chief Executive Officer's report given.

Agenda Item # 15 – Closed Session Pertaining to Litigation

The Board will report on the closed session at the next meeting.

Agenda Item # 16 – Closed Session Related to Employment of a Chief Executive Officer

The Board will report on the closed session at the next meeting.

Chairman Richard adjourned the meeting and moved into closed session at 1:31 pm.